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C O N F I D E N T I A L SECTION 01 OF 03 USUN NEW YORK 000531

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TAGS: [PREL](#) [PGOV](#) [PTER](#) [KPAL](#) [KWBG](#) [UNSC](#) [IS](#) [PA](#)
SUBJECT: SETTLEMENTS: ARAB GROUP SEEKS U.S. SUPPORT OR
ACQUIESCENCE FOR DRAFT UNSCR

REF: A. USUN 523
[1](#)B. USUN 519

Classified By: Ambassador Zalmay M. Khalilzad, per 1.4 (b) and (d).

[1](#)1. (C) Summary. An Arab Group delegation consisting of representatives from Mauritania, Iraq, the Palestinian Observer Mission, Libya, Saudi Arabia, Qatar, and the Arab League requested a meeting with Amb Khalilzad on June 16 to formally present a draft resolution -- initiated by Saudi Arabia and now embraced by the Arab Group -- criticizing recent Israeli settlement expansion. Palestinian Amb Mansour explained that the draft text aimed "to convince, or for lack of a better word, to force" Israel to cease expanding settlements and live up to its Roadmap and Annapolis obligations thereby removing a "huge obstacle" on the path to peace. While Amb Khalilzad agreed that the United States considers settlement activity to be unhelpful, he questioned whether Security Council action would lead to a positive result. He also reiterated U.S. skepticism that the UNSC could reach agreement on a balanced resolution about the Israeli-Palestinian issue and expressed concerns about the timing of UNSC action, given ongoing discussions on the ground and Secretary Rice's travel. He said it would be impossible for the United States to agree to a text that focused exclusively on Israeli violations of the Roadmap and said any text should address all actions that undercut the peace process. The members of the Arab delegation stressed that they wanted the Security Council to adopt a resolution on the issue and were not seeking to score points politically or to force the United States to exercise its veto. They also suggested they would be flexible on timing and content. Amb Khalilzad agreed to send the draft text back to Washington for review and then to have U.S. and Arab experts meet to discuss elements for possible UNSC action at an appropriate time. End Summary.

Arabs Formally Present Text

[1](#)2. (C) After the Mauritanian PermRep formally presented the text to Amb Khalilzad in his capacity as U.S. PermRep (not/not as UNSC President, as previously intended), Palestinian Observer Amb Mansour explained the rationale behind the draft resolution. Echoing the points he made on June 13 (ref A), Mansour argued there is "no disagreement" within the international community on the need for Israel to stop all settlement expansion, and that Israel's recent announcements of new tenders for settlement construction were a violation of its Roadmap and Annapolis commitments. The draft resolution, which was conceived by Saudi Arabia but had now become an Arab Group initiative with Palestinian support, aimed "to convince, or for lack of a better word, to force" Israel to cease settlement expansion. The Arabs would be "delighted" if the U.S. could find a way unilaterally to convince Israel to stop expanding settlements. But if that were not possible, he said, perhaps it would be useful to add the Council's voice to support international appeals to the Israeli Government on this issue. The Arab Group knows it

has "tremendous support in the Council," and therefore hoped that Washington could either support the resolution or at least not block its adoption.

U.S. Concerned About Effect on Annapolis

13. (C) Amb Khalilzad agreed that there is an international consensus that settlement expansion is unhelpful, and noting Secretary Rice's comments during her June 14-15 visit to the region, underscored that the U.S. supports this consensus. The question is whether Security Council action is helpful to the peace process. The United States remains skeptical that the UNSC can agree on a balanced statement or resolution about the Israeli-Palestinian issue and is concerned about the timing of UNSC action, given ongoing discussions in the region and Secretary Rice's upcoming travel plans. However, if the Arabs are open to addressing other issues beyond settlements, to make it clear that the UNSC is responding to all threats to international peace and security in the context of the Israeli-Palestinian issue, the prospects for UNSC action would be better. It would be impossible for the United States to focus only on Israeli violations of the Roadmap, he argued. Rocket attacks on civilians would also need to be addressed, as well as other issues relevant to the Roadmap.

Arabs Flexible on Substance and Timing

14. (C) All members of the Arab delegation stressed that they wanted the Security Council to adopt a resolution on the

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issue and were not seeking to score points politically or force the United States to exercise its veto. They also suggested they would be flexible on timing. Mansour said that if the U.S. were to propose language noting that both sides must live up to their Roadmap obligations, the Arab Group would accept such additions. The Libyan PermRep, speaking more broadly, said that the Arabs would do whatever they could to gain the support of the United States. Arab League Amb Mahmassani was more circumspect, suggesting that the Arab Group seeks a "compromise within the core points of the draft resolution." Iraqi PermRep Bayati, arguing that the "whole Arab world is ready for peace," urged the U.S. to consider supporting the resolution, arguing that cessation of settlement activity would facilitate the prospects for a successful treaty between the Israelis and the Palestinians. Although the Arab want to try to reach an agreement with the U.S., Bayati said "we don't want to just try, we want results." In a separate luncheon meeting, visiting Saudi Ambassador Adel al-Jubeir advised Amb Khalilzad that Saudi Arabia is prepared to entertain U.S. edits in order to win U.S. support for its initiative.

Next Steps

15. (C) Amb Khalilzad agreed to send the draft resolution back to Washington and seek a formal reaction. Once USUN receives guidance, Council experts from USUN and Arab missions would meet to discuss elements for UNSC action, taking into consideration the Arab draft text. Experts would focus on violations of the Roadmap and other actions inconsistent with the peace process. If experts are unable to reach agreement, Ambassadors would consider the issue.

Comment

16. (C) In orchestrating the U.S. response to this Arab initiative, Amb Khalilzad seeks to move deliberately to gain as much time as possible. He advised the Arab delegation that we would first seek reaction from Washington. The second step would be a general discussion of elements. The

third step would be to begin discussion of text. The objective is to delay unless and until we reach an acceptable product that can be pursued at the time of our choice.

Draft Resolution

17. (SBU) Below is the text of the Arab draft resolution:

The Security Council,

Recalling its resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 452 (1979) of 20 July 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force, in accordance with the Charter of the United Nations, the principles of international law and relevant Security Council resolutions, and the necessity of the withdrawal of Israel, the occupying Power, from the Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967,

Recalling the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, which, inter alia, prohibits the occupying power from transferring parts of its own civilian population to the territory it occupies, and reaffirming its applicability to the Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967,

Condemning all unlawful Israeli policies and measures aimed at altering the demographic composition, physical character and status of the Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967, including, inter alia, by means of the construction and expansion of settlements, the confiscation of lands and properties, and the displacement, transfer and expulsion of civilians,

Reiterating that Israeli settlement policies and measures in the Palestinian Territory, including East Jerusalem, and other Arab territories occupied since 1967 have no legal validity,

Taking note of the repeated statements by Council members regarding Israel's non-compliance with previous relevant resolutions and its continuing illegal construction

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and expansion of settlements, which seriously undermine the contiguity, integrity, and unity of the Occupied Palestinian Territory, including East Jerusalem, and endanger the prospects for achieving the two-State solution in accordance with relevant United Nations resolutions and Middle East peace initiatives, including in particular the Arab Peace Initiative as well as the Annapolis Conference,

Bearing in mind the detrimental impact of Israeli settlement policies, decisions and activities on the efforts to achieve peace in the Middle East,

11. Reaffirms that the Israeli settlements established in the Palestinian Territory, including East Jerusalem, occupied since 1967 are illegal and constitute a serious obstruction to the achievement of a comprehensive, just and lasting peace;

12. Condemns the acceleration of Israeli settlement activities in the recent period;

13. Reiterates its demand that Israel, the occupying Power, immediately and completely cease all settlement construction, expansion and planning in the Occupied Palestinian Territory, including East Jerusalem, as well as all unlawful activities intended to facilitate and advance its settlement campaign,

and that it dismantle the settlements built therein, in compliance with previous resolutions;

¶4. Calls once again upon Israel to desist forthwith from the confiscation of Palestinian land under any pretext, from the demolition of homes and properties, and from the destruction of agricultural lands;

¶5. Calls upon all parties to continue, in the interest of the promotion of peace and security, with their negotiations in the Middle East peace process according to its agreed terms of reference and the implementation of the agreements reached;

¶6. Calls upon the international community and United Nations organs and specialized agencies to continue providing the necessary assistance to support the Palestinian people in the various humanitarian and economic fields;

¶7. Requests the Secretary General to follow up the implementation of this resolution and to present a report on the developments in this regard as soon as possible.
Khalilzad